

were rejected under 35 U.S.C. §103(a) as being unpatentable over Jain et al. in view of Ishimaru (U.S. Patent No. 5,982,931). Claims 21-26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Jain et al. in view of Ishimaru. Claim 11 was rejected under 35 U.S.C. §103(a) as being unpatentable over Jain et al. in view of Taniguchi et al. (U.S. Patent No. 5,619,347).

**In Response to the Rejection of Claims 1, 2, 4, and 7 under 35 U.S.C. §103(a) as being unpatentable over Jain et al., the Applicants respectfully request reconsideration.**

These claims recite a method. The method comprises determining a weight of a feature and determining a weight of a feature elements of the feature.

Jain et al. relates to a similarity engine for content-based retrieval of images. In column 12, lines 7-22, default primitives are identified as Local Color (250), Global Color (252), Structure (254), and Texture (256). It is disclosed in column 12, line 8 that primitives and their weights are identified. However, there seems to be no disclosure in Jain et al. of a feature element of the disclosed primitives that are also weighted. In column, lines 34-36, a feature vector is disclosed. However, there seems to be no disclosure that the feature vector is weighted. Accordingly, unlike the recitations of claim 1, 2, 4, and 7, Jain et al. does not disclose determining a weight of a feature and determining a weight of a feature element. At least for this reason a *prima facie* case of obviousness has not been established.

**In response to the rejections of claims 13 and 14 under 35 U.S.C. §103(a) as being unpatentable over Jain et al., the Applicants respectfully request reconsideration.** These claims recite a method comprising incorporating weight information of features and weight

information of feature elements. Jain et al. has been discussed above. For similar reasons, as discussed above, Jain et al. does not disclose incorporating weight information of features and weight information of feature elements. At least for this reason, a *prima facie* case of obviousness has not been established.

**In response to the rejections of claims 5, 6, and 8-10 under 35 U.S.C. §103(a) as being unpatentable over Jain et al. in view of Ishimaru, the Applicants respectfully request reconsideration.** These claims comprise the same recitations, as discussed above for claims 1, 2, 4, and 7. As discussed above, Jain et al. does not disclose determining a weight of a feature and determining a weight of a feature element.

Ishimaru relates to an apparatus and method for the manipulation of image containing documents. There seems to be no disclosure in Ishimaru related to determining a weight of a feature and determining a weight of a feature element. Accordingly, Ishimaru does not alleviate the deficiencies of Jain et al. At least for this reason, a *prima facie* case of obviousness has not been established.

**In response to the rejection of claims 21-26 under 35 U.S.C. §103(a) as being unpatentable over Jain et al. in view of Ishimaru, the Applicants respectfully request reconsideration.** These claims recite a method comprising: Inputting a first image that is similar to a target image. Inputting a second image that is dissimilar to a target image. Correlating the first image and the second image to construct a search criteria.

Jain et al. has been discussed above. As stated in the Office Action on page 9, lines 12 and 13, “Jain does not ... disclose the inputting [of] a second image that is dissimilar to the target image.”

Ishimaru has been discussed above. It is stated in the Office Action on page 9, lines 13-15 that “... Ishimaru discloses that dissimilar image is identified, and inputted for searching...” In Figure 2 in the accompanying disclosure in columns 3-5, documents from referenced document input 42 and search document input 50 are compared in comparison mechanism 48 and analysis mechanism 58. As disclosed in column 5, lines 6-14, an output of analysis mechanism 58 for dissimilar images is inputted to identifying mechanism 64. It is further disclosed in column 5, lines 35-39 that identifying mechanism 64 is connected to search document database 52 to indicate when a comparison has been completed and the program is ready for the next searched document. Accordingly, this disclosure is unlike the recitations of claims 21-23 of inputting a second image that is dissimilar to a target image. Further, there seems to be no disclosure of constructing a search criteria by correlating a first image that is similar to a target image with a second image that is dissimilar to a target image. At least for these reasons, a *prima facie* case of obviousness has not been established.

**In response to the rejection of claim 11 under 35 U.S.C. §103(a) as being unpatentable over Jain et al. in view of Taniguchi et al., the Applicants respectfully request reconsideration.** The recitations of claim 11 comprise the same recitations as

discussed above for claims 1, 2, 4, and 7. As discussed above, Jain et al. does not disclose determining a weight of a feature and determining a weight of a feature element.

Taniguchi et al. relates to an apparatus for calculating a degree of white balance adjustment for a picture. There appears to be no disclosure in Taniguchi et al. of determining a weight of a feature and determining a weight of a feature element, as recited in claim 11. Accordingly, Taniguchi et al. does not alleviate the deficiencies of Jain et al. At least for this reason a *prima facie* case of obviousness has not been established.

### **CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **Daniel H. Sherr**, at the telephone number listed below.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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